

Applicant regards as the invention. To overcome this rejection, claim 70 would need to be amended such that it is essentially the same as claim 74. Therefore, to avoid having two claims that claim the same subject matter, Applicant has cancelled claim 70, without prejudice. Applicant has also cancelled claims 71 and 72, without prejudice, and added claims 78 and 79 containing the subject matter of claims 71 and 72 and depending from claim 74. Therefore, the rejection of claims 70 and 72 under 35 U.S.C. §112, second paragraph, should be removed.

Regarding claim 73, the Patent Office stated that who or what is performing the altering and communicating should be further defined. Applicant has amended claim 73 to clarify that the wireless communication device is performing the communicating step. Further, the altering step can be performed by any means disclosed in the specification or any equivalents thereof. Therefore, claim 73 is not indefinite and is therefore allowable.

Claims 42-46, 67-69, and 71

The Patent Office rejected claims 42-46, 67-69, and 71 under 35 U.S.C. §103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,854,994) in view of Porco (U.S. Patent No. 4,540,980) and Larin (U.S. Patent No. 4,184,277).

Applicant has cancelled claims 42-46, 67, and 68, without prejudice.

Applicant has cancelled claim 71 as discussed above.

To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Regarding claim 69, the combination of Cariada, Porco, and Larin fails to teach or suggest detaching a wireless communication device having a magnet from a magnetic surface portion by magnetically shorting the magnet. Canada discloses a wireless communication device that may be attached to a housing by a magnetic mount. Porco discloses a portable security alarm having an attachment magnet, and Larin discloses using an external magnet A to lift a rod magnet 18 out of a cavity 17 in a name plate 7 thereby releasing the name plate 7 from locking engagement with a base member. However, the references do not disclose detaching a magnet from a magnetic surface by magnetically shorting the magnet. Therefore, claim 69 is allowable.

Claim 64

The Patent Office rejected claim 64 under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,854,994) in view of Thompson et al. (U.S. Patent No. 4,754,532). Applicant has canceled claim 64, without prejudice.

Claims 65 and 66

The Patent Office objected to claims 65 and 66 as being dependent upon a rejected base claim, but stated that claims 65 and 66 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 65 to be rewritten in independent form. Therefore, claim 65 and dependent claim 66 are allowable.

In view of the discussion above, claims 8-12, 14-22, 24-26, 34-41, 48-56, 58-60, 65-66, 69, and 73-79 are allowable. Reconsideration is respectfully requested.

Respectfully submitted,

WITHROW & TERRANOVA, P.L.L.C.

By: 

Steven N. Terranova
Registration No. 43,185
P.O. Box 1287
Cary, NC 27512
Telephone: (919) 654-4520

Date: June 19, 2003
Attorney Docket: 4579-048

CERTIFICATE OF TRANSMISSION	
HEREBY CERTIFY THAT THIS DOCUMENT IS BEING TRANSMITTED VIA FACSIMILE ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO:	
Examiner: <u>Benjamin C. Lee</u> Art Unit: <u>2632</u> Fax: <u>703-872-9314</u>	<u>Jen Garrison</u> Name of Sender
	<u>Jen Garrison</u> Signature
	<u>6/19/03</u> Date of Transmission